

In the Court of Appeals of the State of Alaska

Wyatt Redfox,

Appellant,

v.

State of Alaska,

Appellee.

Court of Appeals No. **A-13765**

Order

Motion to Extend Time to File Response
to Motion to Review Bail Decision

Date of Order: **1/4/2021**

Trial Court Case No. **3AN-20-05703CR**

The State requested an extension to file its response to Wyatt N. Redfox's request that he be released prior to the entry of a final judgment in this case. The basis for the State's motion was the fact that Redfox was unable to provide the State or this Court with a copy of the court order from which he was appealing, nor has he provided audio recordings of the hearings that are relevant to his bail appeal. Because there is no court order or other information in the appellate record, the State pointed out that is unable to respond to Redfox's bail appeal.

This Court granted the State's request, but noted it was doing so prior to the due date for an opposition. Because Redfox has now filed a timely opposition, this Court will consider the States's request de novo.

Redfox objects to the extension of time for two main reasons. He asserts that he should not be faulted for being unable to provide the records necessary to allow the State to make a response to his bail appeal, and he points out that the State did not provide an affidavit in support of its motion. But even if Redfox cannot be faulted for being unable to provide the record necessary in this appeal, the State — and ultimately this Court — will need that information in order to resolve Redfox's bail appeal, which will require an extension of time. And while Redfox is correct that the State did not

Redfox v. State - p. 2
File No. A-13765
January 4, 2021

support its motion with an affidavit, Redfox in his opposition concurs that he was unable to provide the State or this Court with a copy of the order from which he was appealing, nor has he provided audio recordings of the hearing that are relevant to his bail appeal. In other words, Redfox does not contest the material facts presented in the State's affidavit.

For these reasons, the State's motion is **GRANTED**. The response is now due on or before **1/20/2021**.

Entered under the authority of Chief Judge Allard.

Clerk of the Appellate Courts



Carly Williams, Deputy Clerk

Distribution:

Mail:
Redfox, Wyatt

Email:
Chleborad, Terisia K.